

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
MIDLAND-ODESSA DIVISION

JARED LEE, DANA ELLIS,  
MATTHEW COUNTS,  
GREGORY MCCLENDON, and  
BARRY RUSSELL,

v.

CITY OF MIDLAND, JENNIE  
ALONZO, ROSEMARY SHARP, and  
CAMILO FONSECA

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Civil Action No. 7:22-cv-185

JURY TRIAL DEMANDED

DEFENDANTS' UNOPPOSED MOTION TO EXTEND TIME TO PLEAD

Defendant Officers Jennie Alonzo, Rosemary Sharp, and Camilo Fonseca, and the City of Midland, Texas, move to extend Defendants' time to file a responsive pleading to Plaintiff's Original Complaint [Doc. 1] by fourteen days for the following reasons:

CERTIFICATE OF CONFERENCE

1. Plaintiff is unopposed to the relief sought in this motion.

ARGUMENTS AND AUTHORITIES

2. Plaintiff filed this lawsuit [Doc. 1.] on August 30, 2022, alleging violations of their federal civil rights.
3. Under Federal Rule of Civil Procedure 12(a)(1)(A), Officers Alonzo's and Sharp's, and the City's responsive pleading is due on September 28, 2022. Officer Fonseca's responsive pleading is due September 29, 2022.
4. Defendants recently retained the undersigned defense counsel. Defense counsel requires an additional fourteen days to investigate the propriety of a motion to dismiss in lieu of an answer, to confer with Plaintiffs' counsel regarding pleading deficiencies in Plaintiffs' original

complaint, as required under local rule CV-7(G), and to allow Plaintiffs the opportunity to amend before Defendants file a motion to dismiss or answer.

5. Accordingly, consistent with FED. R. CIV. P. 6(b), Defendants seek until October 12, 2022 to file all Defendants' responsive pleading.

CONCLUSION AND PRAYER

6. Defendants pray the Court grant Defendants until October 12, 2022, to file Defendants' responsive pleading to Plaintiff's Original Complaint.

Respectfully Submitted,

LEWIS BRISBOIS BISGAARD & SMITH LLP

/s/ William S. Helfand

William S. Helfand

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on September 27, 2022, I electronically filed the foregoing document using the CM/ECF system and that a copy of this filing has been forwarded to all counsel of record through and in accordance with the ECF local rules.

/s/ William S. Helfand

William S. Helfand